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7 UNITED STATES DISTRICT COURT
8 WESTERN DISTRICT OF WASHINGTON
9 AT SEATTLE

10 BRAD N. MANSKER,

11 Plaintiff,

12 v.

13 FARMERS INSURANCE
14 COMPANY OF WASHINGTON, et
al.,

15 Defendants.

CASE NO. C10-0511JLR

PRELIMINARY
SCHEDULING ORDER

16 **PRELIMINARY SCHEDULING ORDER**

17 Having reviewed the joint status report filed by the parties, the court has
18 determined that bifurcation of class discovery and merits discovery is appropriate in this
19 action and hereby sets forth deadlines to govern the initial proceedings in this action.
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(1) Motion for Class Certification: Plaintiff's motion for class certification shall be filed in accordance with the following dates and briefing schedule:

Plaintiff's Motion for Class Certification Due:	February 18, 2011 (To be noted for consideration on April 15, 2011.)
Defendant's Response Due:	March 18, 2011
Plaintiff's Reply Due:	April 15, 2011

(2) Discovery: The court orders that discovery be conducted in phases so as to secure a just, speedy, and inexpensive determination of this action. The first phase of discovery, to begin immediately, shall be limited to the production of evidence relating to class certification requirements. This shall include expert discovery so long as the discovery relates to class certification issues. The following deadlines shall apply to the first phase of discovery:

Discovery completed by:	February 4, 2011
Expert disclosure:	November 19, 2010
Rebuttal expert disclosure:	December 10, 2010

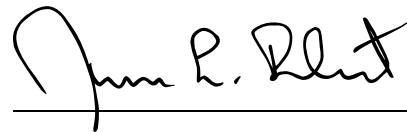
As required by Local Rules W.D. Wash. CR 37, all discovery matters are to be resolved by agreement if possible. However, if a discovery dispute arises and the parties are unable to resolve it without court intervention, the parties are directed to use the expedited procedures for compelling discovery set forth in Local Rules W.D. Wash. CR 37(a)(2)(B). If the parties are unable to cooperate sufficiently to use the expedited procedures of CR 37, the moving party may file a motion to compel but must set forth a

1 good faith basis for the motion and an explanation of why the parties were unable to
2 agree on using the expedited procedures.

3 The second phase of discovery, if necessary, will commence 20 days after the
4 court's ruling on class certification. To facilitate the merits discovery phase, the parties
5 are directed to file an amended joint status report and discovery plan within 20 days after
6 the court's ruling on class certification.

7 The court will alter the dates in this order only upon a showing of good cause.

8 Dated this 13th day of September, 2010.

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14 JAMES L. ROBART
15 United States District Judge
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